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11 UNITED STATES DISTRICT COURT
12 CENTRAL DISTRICT OF CALIFORNIA
13 WESTERN DIVISION

14 COACHELLA MUSIC FESTIVAL, LLC and
GOLDENVOICE, LLC,

15 Plaintiffs,

16 v.

17 AFROCHELLA LIMITED; BBNZ LIVE
18 LIMITED; CULTURE MANAGEMENT
GROUP LIMITED; and DOES 1-20,

19 Defendants.
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Case No.: 2:22-cv-07275-JAK (Ex)

**NOTICE OF MOTION AND
MOTION FOR PRELIMINARY
INJUNCTION**

DATE: December 12, 2022
TIME: 8:30 a.m.
CTRM: 10B – First Street

Hon. John A. Kronstadt

1 TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on December 12, 2022 at 8:30 a.m., or as soon
3 thereafter as this matter may be heard before the Honorable John A. Kronstadt, in
4 Courtroom 10B of this Court located at 350 West 1st Street, Los Angeles, California,
5 Plaintiffs Coachella Music Festival, LLC (“CMF”) and Goldenvoice, LLC (collectively
6 with CMF, “Plaintiffs”) will move, and hereby do move, for an order granting a preliminary
7 injunction against Defendants.

8 In particular, Plaintiffs move pursuant to Rule 65 of the Federal Rules of Civil
9 Procedure for an order preliminarily enjoining Defendants, and their officers, agents,
10 servants, employees, and attorneys, as well as all other persons who are in active concert
11 and participation with any of them and who receive actual notice of the Court’s order, as
12 following:

13 Defendants, and their officers, agents, servants, employees, and attorneys, as well as
14 all other persons who are in active concert and participation with any of them and who
15 receive notice of the Court’s order, are enjoined from:

16 1. Using, marketing, advertising, applying to register, or promoting in the United
17 States the trademark or service mark AFROCHELLA, or any similar designation, on or in
18 connection with entertainment services, event promotion, apparel sales, and travel and
19 tourism package sales, or any related goods or services, or as a domain name (including
20 but not limited to afrochella.com), online account name, display name, URL, URI, web
21 page title, online campaign; or social media account name;

22 2. Using, marketing, advertising, applying to register, or promoting in the United
23 States the trademark or service mark similar to Plaintiffs’ CHELLA, COACHELLA,
24 COACHELLA (stylized), and COACHELLA VALLEY MUSIC AND ARTS FESTIVAL
25 trademarks and service marks on or in connection with entertainment services, event
26 promotion, apparel sales, and travel and tourism package sales, or any related goods or
27 services, or as a domain name (including but not limited to afrochella.com), online account
28 name, display name, social media account name, URL, URI, web page title, or online

1 campaign; or

2 3. Assisting, aiding, or abetting any other person or entity in engaging in or
3 performing any of the activities recited in Paragraphs 1-2, above.

4 The grounds for this motion are that Defendants have been unlawfully using
5 Plaintiffs' well-known COACHELLA and CHELLA trademarks and service marks, as
6 well as confusingly similar designations thereto, such as AFROCHELLA, despite repeated
7 requests to cease and desist, to promote and/or produce music events, sell merchandise,
8 including apparel, and promote and sell travel and tourism packages to an infringing
9 festival in Ghana, Africa, which is scheduled to take place December 28-29, 2022, thus
10 warranting immediate injunctive relief.

11 This motion is based on this notice of motion and motion, the accompanying
12 memorandum of points and authorities; the Declaration of Jason Bernstein; the record in
13 this matter; and such other and further papers, evidence, and arguments as may be
14 submitted in connection with this motion.

15 Pursuant to Local Civil Rule 7-3, no conference of counsel is necessary because
16 Plaintiffs are moving for a preliminary injunction; however, Plaintiffs recently gave notice
17 of this motion via an ex parte application for leave to serve by email, which Plaintiffs
18 served on Defendants the same day as the filing of this motion. Pursuant to Local Civil
19 Rule 65-1, Plaintiffs also state that they are providing further notice of this motion by
20 email, with courtesy copies of all papers being filed, pending the Court's ruling on the ex
21 parte application for leave to serve by email.

22 DATED: October 25, 2022

Tucker Ellis LLP

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24 By: /s/ David J. Steele

25 David J. Steele

26 *Attorneys for Plaintiffs*
27 *Coachella Music Festival, LLC and*
28 *Goldenvoice, LLC*